

TITLE: Supporting US Arms Control Activities

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# STUDIES IN INTELLIGENCE

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~~SECRET~~*Intelligence obligations and responsibilities***SUPPORTING US ARMS CONTROL ACTIVITIES \***

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A senior arms control official once commented that intelligence information represented power, and its interpretation was, therefore, much too important to be left solely to intelligence agencies. His remark was a manifestation of an endemic tension between intelligence producers and their customers in the policymaking offices of the Executive Branch. This tension is caused, *inter alia*, by the proposition, advanced by professional intelligence officers, that the intelligence community should "tell it like it is and let the chips fall where they may," and the dichotomous view of many policymakers that intelligence judgments should take policy considerations into account, even to the extent of skewing them to support policy when necessary.

The necessity of dealing with Congress adds another dimension to the IC/Executive Branch relationship. A suspicious Congress inevitably examines the basis and rationale for US foreign policy decisions, including the intelligence underpinnings. Oversight committees monitor intelligence findings for completeness, objectivity, and timeliness, placing the intelligence community in an awkward position when policy decisions appear to be inconsistent with intelligence. Satisfying both "customers" in these circumstances requires a sure foot and a previously prepared walkway (well-established and mutually beneficial relationships).

Internal considerations also shape the manner in which the intelligence community operates to fulfill the obligations and responsibilities placed on it directly or indirectly by the Executive Branch and Congress. The intelligence community is not a monolith, but a conglomerate of individual agencies with varying responsibilities, idiosyncrasies, pressures, and bureaucratic interests. Like any family, it has its squabbles, and how well it operates in many instances is dependent on how well "Father CIA" listens to and accommodates the problems and interests of the family members.

Finally, bureaucratic considerations and competition for "turf" within CIA when major accounts are up for grabs have not been totally without impact in determining internal organization to deal with important problems, and the arms control account(s) are no exception in this respect.

**Relationships with the Executive Branch**

The basis for dealing with arms control matters, as well as all national security matters in the US Government, is derived from the National Security Act of 1947, as amended, and a series of implementing directives, including

\* This article consists of extracts from a report (b)(3)(c) prepared for the Arms Control Intelligence Staff.

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Executive Orders, Presidential Decision Memorandums, House and Senate Resolutions, other Acts of Congress, and directives issued by or in the name of the Director of Central Intelligence.

Successive administrations, beginning with President Nixon's, have all used the NSC structure in managing arms control matters. Within this statutory framework, the DCI and the intelligence community operate basically on a combination of guidance and tasking from the President and the NSC (and from DOD in the case of the military intelligence departments) and self-generated projects based on experience and, we hope, on foresight. How well it works depends, to a large extent, on the principal players and their personal relationships, beginning with that of the DCI and the President he serves.

Tasking by the NSC on arms control matters has been accomplished through committees or working groups headed by NSC, State, ACDA, or DOD chairmen and containing representatives from the principal agencies having arms control responsibilities: NSC, State, DOD (OSD and JCS are represented separately), ACDA, and CIA representing the IC.

In providing intelligence on arms control matters to the policymaking community, the IC, under the direction of CIA, has come to observe a number of tenets whose value has been established over time. They are:

- Provide coordinated intelligence, highlighting differences within the IC where they exist and the reasons for them.
- In making intelligence judgments (an art, not a science), tell it like it is and let the chips fall where they may.
- Stay out of policy unless intelligence equities are involved—then speak up.
- Maintain the integrity of the IC. Don't let policy agencies make or influence intelligence judgments, or otherwise get into the intelligence business.
- Accept tasking (and priorities) only through the established NSC mechanism—don't let individual agencies tie up limited resources.

The tenet of objective intelligence, especially, deserves amplification. There has been nothing more difficult for an intelligence officer in my experience than attempting to convince incoming administrations that their interests are best served by a product that is objective and void of policy "tilts." If any administration is to be convinced of the virtues of objective intelligence, the IC must follow a number of rules in the production and dissemination process, to wit:

- The assessments should be presented dispassionately.
- Assumptions and uncertainties should be spelled out, as well as the sensitivity of the conclusions to these two factors.
- Where new intelligence is sensitive politically, the administration should be forewarned, prior to publication, to permit timely formulation of a policy response.

- Where impending policy decisions appear to be inconsistent with available intelligence information, the apparent inconsistencies should be pointed out so the administration can determine, in advance, how to deal with them on the Hill and in the media.

### Organization for Arms Control Support

In general, the development of institutionalized IC support to the Executive Branch on arms control matters has been evolutionary, emanating from a series of internal decisions, which have been tempered and refined over time. Organizational and operating precepts established within IC components by these decisions include:

- The use of existing production elements and analysts to provide substantive support on arms control matters as an extension of their normal responsibilities. An additional layer of redundant production units with narrowly focused responsibilities has been avoided.
- The formulation of small but high-level staffs in each major component to oversee, supervise, and coordinate support provided by various production elements on all arms control matters.
- The vesting of responsibility for day-to-day operations in CIA at the lowest substantive level commensurate with the existing management structure and a reasonable span of control.
- The utilization of the NFIB (formerly USIB) and other similar structures to oversee preparation of coordinated IC substantive intelligence.
- The establishment of new IC entities only when it is deemed absolutely necessary (e.g., DCI Steering Group on Monitoring Strategic Arms Limitations).
- Insistence on the principle that intelligence analysis be performed by professional intelligence analysts without benefit of help from policy agencies.
- The proposition that IC inputs to arms control deliberations be clearly identifiable and separate from subsequent analysis taking into account policy as well as intelligence considerations.

### CIA Internal Organization

CIA internal organization for arms control support began modestly in the early 1960s when a single division (NED/OSI) was responsible for support to the negotiating and monitoring of the Limited Test Ban Treaty (LTBT) of 1963. NED's responsibilities were subsequently expanded to encompass the Threshold Test Ban Treaty (TTBT) of 1974, the Treaty on Underground Nuclear Explosions for Peaceful Purposes (PNET), signed in 1976, and the nearly completed Comprehensive Test Ban Treaty (CTBT), the negotiating of which was abandoned by the US late in the Carter Administration. Following this same concept, a single division (currently TF Division, SOVA) has been responsible for supporting MBFR.

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The SALT negotiations, beginning in 1969, represented the first instance where substantive support to a negotiation crossed division, office, and even directorate spheres of responsibility. Internal responsibility for the SALT I negotiations was placed within a single office (OSR). The focal point for substantive work was a joint DDI/DDS&T SALT support team. This team, drawing upon production offices in both directorates, supervised the preparation of CIA inputs to the SALT policy community, supported CIA advisors with the SALT delegation, and advised and supported the DCI, the DDI, and the DDS&T on SALT-related matters. While the team performed admirably under the circumstances, there were tensions emanating from the fact that while the DDI was in charge, DDS&T production offices were responsible for a large share of the analytical work required, a circumstance that exacerbated established rivalries and competitive spirit between the two directorates.

With the conclusion of the SALT I Agreements in May 1972, it became apparent that CIA support to SALT activities would have to be reorganized and expanded. Not only would the Agency have to support continuing and more comprehensive negotiations, but it would, in addition, be responsible for monitoring Soviet compliance and providing intelligence support to the US component of the US/USSR Standing Consultative Commission. The commission had been established to implement the SALT I Agreements and to deal with matters of compliance.

Following a transition period, a SALT Support Staff (SSS) was formed under a Staff Chief who began as the senior "inside man" on SALT matters and subsequently took over from the DDS&T as the senior "outside man" representing the DCI within the NSC structure and in dealing with Congress. The Chief, SSS reported to the DCI, the DDCI, the DDI, and the DDS&T on SALT matters, and subsequently, on the ASAT negotiations as well. The new regime was in place and operating in December 1973, and continued throughout the remainder of the decade.

There were significant changes in staff operations over time. The original DDI/DDS&T SALT Support Team had functioned almost exclusively as a middleman, receiving requests for substantive support through the Verification Panel mechanism, farming the work out to appropriate production offices, and transmitting the responses when they were received. There were two problems with this procedure.

The first involved a requirement for quality control. Most requests were time-urgent and responses were turned out quickly and with little or no office or division level review. The second problem emanated from the fact that many requests required inputs from more than one production office. There was a requirement in these instances that responses be synthesized into a single paper, professional in style, substance, and cohesion. The logical solution to both these problems was to increase the size of the staff, when necessary, and to people it with analysts capable both of turning out cohesive reports, and exerting quality control in the process. This required that office chiefs cooperate by making available seasoned analysts of outstanding ability for tours on the staff. This was accomplished gradually, as managers at all levels came to recognize the long-term benefits of such a program: exceptional training for

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the analysts involved, including service as advisors on the delegations overseas; and reduction in office workloads as more requests were answered by staff analysts after coordination with the office with substantive responsibility. Reluctant managers were also nudged by analysts who desired assignments in a highly visible policy area with exceptional "perks."

The SALT Support Staff was disbanded in January 1980 and replaced with the current Arms Control Intelligence Staff (ACIS). This move had been in the making for some time, since DCI Turner and successive NFAC Directors Bowie and Clarke were disturbed that there was no single entity they could go to on matters requiring an overview of the entire arms control spectrum (which had grown to include BW/CW and multilateral negotiations on a variety of subjects). Under the terms of its charter, the ACIS provides a central point in CIA for the general oversight of the intelligence aspects of all arms control activities involving the US Government (non-proliferation is not considered an arms control matter in this context). In practice, it exercises direct support to SALT (now START), INF, the Standing Consultative Commission, ASAT and BW/CW arms control activities. It monitors the status of other arms control activities, including TTBT, LTBT, PNET, and MBFR, to enable it to keep abreast of the requirements and capabilities of the IC to meet present and future needs for monitoring arms control agreements, as well as providing intelligence support in the preparation and coordination of the annual Arms Control Impact Statements required of ACDA by the Congress.

**Intelligence Community Organization**

IC organization for arms control support was established conceptually in the early 1960s when, under the auspices of the DCI, responsibility for monitoring the LTBT was mandated by USIB to its Joint Atomic Energy Intelligence Committee (JAEIC). This mandate was later expanded to include responsibility for the intelligence aspects of the TTBT, PNET, and CTBT.

When it became clear that SALT I Agreements would be concluded, there were discussions—not limited to the IC—on how and by whom the Washington SALT Community and the Standing Consultative Commission (SCC) would be provided evaluated intelligence on the status of Soviet compliance, guidance on disclosure of intelligence information, and a channel for levying special collection requirements on the IC. ACDA, for example, proposed formation of a "Special Intelligence Group," chaired by CIA, but including as members representatives of State, ACDA, and DOD. From an intelligence perspective, such an arrangement would have the disadvantage of giving policy agencies an equal voice with intelligence professionals in carrying out IC responsibilities for directing the use of collection assets and in analyzing the resultant data. A preferred approach would be to have the intelligence aspects of verification under the direct control of the DCI, with participation by policy agencies beginning only after finished intelligence reports had been furnished to the appropriate NSC sub-groups.

While there was substantial disagreement within CIA as to how SALT support should be institutionalized, everyone agreed that the IC should organize itself before someone in the Executive Branch preempted the DCI in this

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respect. There were two schools of thought as to the approach to be taken. Both were based on the precedent established in conjunction with the LTBT in 1963, i.e., that the USIB structure be utilized. The first was that the *existing* USIB organization be used, calling upon the appropriate existing committees for support. Advocates argued that a new infrastructure would waste resources unnecessarily. The second approach was to establish a new USIB Committee on the basis that a select unit was preferable because of the diversity of the task, its importance, and the need for visibility.

The second approach was selected, only slightly modified. A USIB Memorandum of 27 June 1972 established a USIB (later the DCI) Steering Group on Monitoring Strategic Arms Limitations reporting to the DCI, and through him to the NSC. Chaired by the DDCI, its members included the DDI and the Directors of DIA and State/INR. Its responsibilities include:

- The preparation of periodic reports on the status of Soviet compliance.
- The investigation of possible treaty violations.
- The preparation of intelligence materials for use in SCC discussions with the Soviets.

While the major purpose of the DCI in institutionalizing IC organization for SALT was to draw a line between intelligence and policy participation in the verification process, it also served to rectify an internal situation which was detrimental to the proposition that the policy community should be furnished coordinated intelligence. During the SALT I negotiations there had been no special IC organization for SALT support.

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The views of DIA and INR were funneled through OSD, JCS, and State representatives. This led to not infrequent occasions where Working Group discussions wound up in debates on the validity of CIA intelligence judgments in one area or another. The opportunity for DIA and INR to participate in SALT as full members of the IC effort was long overdue and beneficial to all, as was the inclusion of a DIA representative on the Intelligence Team supporting the US delegation in Geneva.

### Tasking, Analysis, and Reporting

With its charter in hand and a working group established, the Steering Group lost no time in institutionalizing its procedures to ensure that technical collection systems would be properly tasked and data from them and other sources would be properly processed, analyzed, and reported. Tasking requirements for SALT I (and later SALT II) were developed and incorporated into overall Imagery, SIGINT, and HUMINT tasking plans. A reporting process was also institutionalized for maximum utility. In addition to preparing timely *ad hoc* reports on Soviet activities relating to compliance, the Steering Group has been providing, semi-annually, a formal hard-copy monitoring report covering the status of collection systems, coverage statistics, and listing Soviet

activity with respect to each individual obligation contained in the SALT Agreements. The monitoring report has been improved and expanded over the years to include agreements reached in the SCC, as well as to incorporate SALT II provisions.

Preparation of these monitoring reports is a major effort, requiring the expenditure of substantial analytical and production resources. From time to time, questions arise as to whether the effort is worth the cost. In my view, it is essential for at least three very important reasons:

- It forces a detailed review of Soviet compliance with a myriad of obligations on a routine basis, helping to ensure that nothing significant falls through the cracks. This is particularly important as analysts familiar with treaty obligations are replaced by those who are not.
- It points, on a periodic basis, to collection shortfalls in various substantive areas, aiding in redress through *ad hoc* tasking of appropriate collection systems.
- It provides a unique formal record both of Soviet activities related to compliance and of the historical development of Soviet strategic forces limited by the agreements.

#### Support to Delegations

Senior Intelligence Advisors to the START, INF, and SCC delegations are full members of those delegations, both in internal deliberations and in negotiating sessions with the Soviets.

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### Dealing With Congress

Since the beginning of the SALT process, Congress has displayed an enduring interest in arms control negotiations. There was considerable debate before the Senate bestowed its "advice and consent" to the ABM Treaty and Interim Agreement (IA). Despite the fact that the agreements had been signed by a conservative President with impeccable anti-communist credentials, concern over the unequal limits of the IA was reflected in an amendment, fathered by Scoop Jackson, which warned that a future treaty on strategic offensive arms should not limit the US to forces numerically inferior to those of the Soviet Union. This amendment led in SALT II to two years of difficult negotiations to achieve equal aggregates without compensation for US forward-based systems, the so-called FBS issue.

Continued congressional interest in SALT was demonstrated following the Vladivostok Accord, which documented agreement on equal aggregates. Though an Executive Agreement and, therefore, not subject to congressional approval, the accord was blessed by supportive resolutions in both the House and the Senate, an act which reminded the Administration that Congress had a role, sanctioned by the Arms Control Act, in any agreement limiting US arms.

An expanding role in the negotiations culminated in 1977 in the naming of all Senators and 46 Representatives as official Congressional Advisors to the US delegation. This move was approved by President Carter over the strong objection of his National Security Advisor, who argued that congressional involvement in the negotiations impinged on the principle of separation of powers, and, in any event, would further complicate an already complex operation. The winning argument posited that bringing the Congress in early would facilitate the ratification process. From the perspective of travel-hungry congressmen, the program was a magnificent success. Some 74 "advisors" visited the delegation in Geneva and got to "negotiate" with the Russians. From the delegation viewpoint, the program was, at best, a nuisance, since many of the visitors "negotiated" without benefit of instructions or knowledge of the US position, and a few ignored solicitations about protection of intelligence infor-

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mation and sources. Entertaining lawmakers was also costly and time-consuming to delegation members working 12 to 14 hours a day.

With the demise of the SALT II Treaty, congressional interest in arms control matters waned perceptibly, as did the requirement for frequent and exhaustive briefings. More recent events have rekindled congressional concerns with respect to arms control.

Unlike the evolutionary process which characterized development of IC relationships with the Executive Branch and with internal IC organization for arms control support, the state of the relationship between the IC and Congress has usually been transient and sometimes volatile. In general, the relationship is influenced by the rapport, or lack thereof, between the DCI and the congressional leadership, particularly the Chairmen and Vice-Chairmen of the Foreign Relations, Armed Services, Appropriations and, above all, the Oversight Committees. In this respect, the DCI, whose first loyalty must be to the President he serves, can be aided by an experienced and professional liaison staff, and in the arms control area by an IC spokesman who has established a mutually beneficial rapport with staff chiefs and principal staffers for the congressional "movers and shakers" in the national security area.

On specific issues, however, even a well established relationship can be strained in circumstances where Administration policy is perceived to be in conflict with intelligence assessments or particularly when an unpopular Administration policy action is supported by IC judgments (or actions). The important thing in these circumstances is not to let a short-term, volatile situation damage the long-term relationship. This is best accomplished by observing the principal tenets developed for dealing with the Executive Branch; i.e., providing a quality product objectively and dispassionately, and refraining from discussing the policy aspect of matters devoid of intelligence equities. It is also important that IC spokesmen are deemed to have the confidence and trust of the DCI, and to be accurately representing his views.

Finally, in dealing with Congress, it is extremely important that IC representatives be thoroughly versed in substance, acutely aware of the policy implications of the information they are providing, and deft in "dancing" around difficult or loaded questions without appearing to be unresponsive or evasive. This requires a good deal of experience in thinking on one's feet, and thorough preparation. It is usually not difficult to identify "dicey" areas and to prepare answers in advance on a contingency basis. Rehearsals can also help in this respect. Most presidential appointees are rehearsed exhaustively prior to being subjected to the adversarial process associated with confirmation hearings. A cardinal rule is to reply to questions succinctly and without embellishment—and above all, not to volunteer information. While testimony of IC representatives before Congress is not normally regarded as adversarial, at least in theory, I personally found it useful to view it in this light when preparing for appearances on the Hill.

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ATTACHMENT 1

## STATUTORY PROVISIONS

**National Security Act of 1947**

1. Provides for a National Security Council - Title I Section 101.
2. Provides for a CIA - Title I Section 102.
  - a. Places it under the NSC.
  - b. Authorizes DCI to form advisory committees (e.g., NFIB).
3. Provides for Congressional Oversight - Title V Section 501.
  - a. DCI and other IC heads to keep SSCI and HPSCI "fully and currently informed" (preserves existence of these committees).
  - b. President and Intelligence Committees to establish procedures. House and Senate, in consultation with DCI, establish procedures to protect against unauthorized disclosures.

**Central Intelligence Agency Act of 1949**

1. Provides for Administration of CIA.

**Executive Order 12333 December 1981**

1. Identifies NSC as highest Executive Branch entity that provides review of, guidance for, and direction to the conduct of all national foreign intelligence, counterintelligence, and special activities, and attendant policies and programs.
2. Authorizes NSC to establish such committees as necessary to carry out its functions (e.g., IGs and SIGs).
3. Charges DCI with:
  - a. Acting as primary advisor to President and NSC on National Foreign Intelligence.
  - b. Establishing committees or advisory groups.
  - c. Full responsibility for production and dissemination of National Foreign Intelligence.
  - d. Authority to levy analytic tasks on departmental intelligence production organizations "ensuring that appropriate mechanisms for competitive analysis are developed so that diverse points of view are considered fully and differences of judgment within the IC are brought to the attention of national policymakers."
4. Provides for cooperation with Congress in performing its oversight responsibilities as provided in National Security Act of 1947.
  - a. Procedures to be issued by DCI, implemented by IC component heads, and approved by Attorney General. NSC decides if Agency and A.G. are at loggerheads.

**Presidential Decision Memos**

1. Set up NSC network for conducting national security deliberations (e.g., IGs and SIGs).

**Senate Resolution 400**

1. Establishes a Select Committee on Intelligence to:
  - a. Oversee and make continuing studies of the intelligence activities and programs of the US Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs.

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- b. Make every effort to assure that the appropriate departments and agencies of the US provide informed and timely intelligence necessary for the Executive and Legislative Branches to make sound decisions affecting the security and vital interests of the nation.
- c. Provide vigilant legislative oversight over intelligence activities of the US to assure that such activities are in conformity with the Constitution and laws of the US.
- 2. Requires that the Head of any agency or department involved in intelligence activities:
  - a. Keep the Select Committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of, or engaged in, by such department or agency (e.g., evidence of violations; changes in monitoring capabilities).
  - b. Furnish any information or documentation in the possession, custody, or control of that department or agency, or person paid by that agency or department, whenever requested by the Select Committee with respect to any matter within such committee's jurisdiction.

**Rule XLVIII of the House of Representatives**

- 1. Establishes a Permanent Select Committee on Intelligence to:
  - a. Review all proposed legislation, messages, editorials, petitions, and other matters relating to the CIA, the DCI and other agencies comprising the intelligence community.
  - b. Review authorizations for appropriations for IC organizations and activities.
- 2. Establishes the right of other House Committees to:
  - a. Study or review any intelligence or intelligence-related activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.
  - b. Obtain full and prompt access to the product of intelligence and intelligence-related activities of any department or agency of the government relevant to a matter otherwise within the jurisdiction of such committee.

**Arms Control Act of 1961**

- 1. Article 37 (Derwinski Amendment) requires the Director, ACDA, in order to insure that arms control proposals made or accepted by the US can be adequately verified, to report to the Congress on a timely basis, or upon request:
  - a. The degree to which proposals are adequately verifiable by NTM.
  - b. In the case of existing arms control agreements, any significant degradation or alteration in the capacity of the US to verify the various components of such agreement or treaty.

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ATTACHMENT 2

## ORGANIZATIONAL STRUCTURE

Unit	Statutory Basis	By Whom Implemented	How Implemented
NSC	National Security Act	President	Executive Order
Interdepartmental Groups (IGs, SIGs, etc)	Executive Order	President	Presidential Decision Memorandum
CIA (and departmental components)	National Security Act of 1947	Congress President	CIA Act of 1949; Executive Order
Intelligence Community (IC)	Executive Order	DCI	DCI Directives
NFIB (USIB)	Executive Order	DCI	DCI Directives
JAEIC/WSSIC & Working Groups	Executive Order	DCI	NFIB Memorandum
DCI Steering Group/ Monitoring Working Groups	Executive Order	DCI	NFIB Memorandum
Senate Select Committee (SSCI)	National Security Act of 1947 (Amendment)	Senate	Senate Resolution 400
House Select Committee (HPSCI)	National Security Act of 1947 (Amendment)	House	Rule XLVIII of the HR

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ATTACHMENT 3

TASKING STRUCTURE<sup>1</sup>

Key Tasks	Source of Tasking	How Response	By Whom Implemented
Information on Soviet Forces Subject to Limitation	NSC State DOD Self-generated	NIEs, SNIEs, IMs, IIMs, etc	DCI
Monitoring Studies	NSC ACDA (Sec 37, Arms Control Act)	Memoranda, IMs IIMs	DCI
Changes in Monitoring Capabilities	ACDA (Sec 37, Arms Control Act) SSCI (SR 400, Sec 11a)	Memoranda SALT Monitoring Report	DCI
Compliance Analysis	NSC SSCI (SR 400, Sec 11a) <sup>2</sup>	Memoranda SALT Monitoring Report	DCI
Support to Congress	National Security Act of 1947 Senate Resolution 400; HR Rule XLVIII	Memoranda Reports Briefings	DCI <sup>3</sup>

<sup>1</sup> It is significant to note, as depicted on this chart, that tasking is generated by requirements of Executive Branch agencies either directly through the NSC mechanism, or self-generated by the IC in anticipation of a requirement. The manner in which the response is implemented, including the vehicle, has been and is the prerogative of the DCI subject to the approval of the NSC. Thus, internal IC organization for arms control support to the Executive Branch, and the publications associated with this support, have all been initiated within the IC.

<sup>2</sup> The SSCI is briefed on the intelligence aspects of compliance issues and furnished a copy of the *SALT Monitoring Report*. It does not receive copies of ad hoc reports on individual compliance issues prepared by the IC for policy consideration.

<sup>3</sup> There have been occasions when the President or his National Security Advisor have required clearance (or at least consultation) with the White House prior to furnishing information to Congress. One example in the arms control area was the furnishing of materials to the House Pike Committee in 1975. All materials, once sanitized by the IC, were furnished to the committee after review by the NSC Staff.

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